

Customer No. 22,852  
Attorney Docket No. 09826.0004

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Michael McNiven RUMSEY )  
Serial No.: Not Yet Assigned ) Group Art Unit: Not Yet Assigned  
Filed: June 10, 2005 ) Examiner: Not Yet Assigned  
National Stage of International Application No. )  
PCT/GB2003/005293 under 35 U.S.C. 371 )  
For: SAMPLE RATE ADAPTION IN SIGNAL )  
PROCESSING )  
MAIL STOP PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§1.56 and 1.97(b), applicant brings to the Examiner's attention the documents listed on attached Form PTO/SB/08 and cited in the international search report. With exception of the U.S. patents, copies of the listed documents are attached. Applicant respectfully requests that the Examiner consider the documents listed on attached Form PTO/SB/08 and indicate that they were considered by making an appropriate notation on this form. This Information Disclosure Statement is being filed with the above-referenced application.

Also enclosed is an English-language international search report from the European Patent Office in the PCT international application, from which this national phase U.S. application is derived.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and applicant determines that the cited documents do not constitute "prior art" under United States law, applicant reserves the right to present to the Office the relevant facts and law regarding the appropriate status of such documents. Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: June 10, 2005

By: 

Ernest F. Chapman  
Reg. No. 25,961

Enclosures  
EFC/FPD/blc

10/538784

IDS Form PTO/SB/08: Substitute for form 1449

JC09 Rec'd PCT PTO 10 JUN 2005

# **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet	1	of	1	Application Number	Not Yet Assigned
				Filing Date	June 10, 2005
				First Named Inventor	Michael McNiven RUMSEY
				Art Unit	Not Yet Assigned
				Examiner Name	Not Yet Assigned
				Attorney Docket Number	09826.0004

## **U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS**

Examiner Initials	Cite No. <sup>1</sup>	Document Number Number-Kind Code <sup>2</sup> (if known)	Issue or Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
/L.Y./		US-5,870,402	02-09-1999	Kelley	
/L.Y./		US-6,256,358	07-03-2001	Whitehart et al.	

**Note:** Copies of the U.S. Patent Documents are not Required in IDS filed after October 21, 2004

## **FOREIGN PATENT DOCUMENTS**

Examiner Initials	Cite No. <sup>1</sup>	Foreign Patent Document Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Translation <sup>6</sup>
/L.Y./		WO 99/34625	07-08-1999	Gustafsson et al.		
/L.Y./		WO 98/17012	04-23-1998	Dent		
/L.Y./		WO 99/09721	02-25-1999	Sugar et al.		
/L.Y./		WO 98/57467	12-17-1998	Bottomley et al.		

## **NON PATENT LITERATURE DOCUMENTS**

Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, pages, volume-issue number(s), publisher, city and/or country where published.	Translation <sup>3</sup>

Examiner Signature	/Lihong Yu/	Date Considered	04/27/2008
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**EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.